

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.: _____
v.	:	DATE FILED: _____
SAMMER YASIN,	:	VIOLATIONS:
a/k/a "Samer Rashid"	:	18 U.S.C. § 1951(a) (conspiracy to
OTTOMAN DAHER	:	interfere with interstate commerce by
ABU HAM	:	robbery - 1 count)
KEVIN PITTS	:	18 U.S.C. § 1951(a) (interference with
	:	interstate commerce by robbery - 1 count)
	:	18 U.S.C. § 924(c)(1) (use and carrying a
	:	firearm during a crime of violence - 1
	:	count)
	:	18 U.S.C. § 922(g)(1) (felon in possession
	:	of a firearm - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. Applebees, a restaurant located at 2501 Aramingo Avenue in Philadelphia, Pennsylvania, was engaged in interstate commerce.

THE ROBBERY CONSPIRACY

2. On or about April 25, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendants

SAMMER YASIN,
a/k/a "Samer Rashid,"
OTTOMAN DAHER
ABU HAM and
KEVIN PITTS

conspired and agreed together, and with others known and unknown to the grand jury, to commit robbery, which robbery would unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, in that defendants YASIN, DAHER, HAM, and PITTS conspired to unlawfully take and obtain money and other items of value from the employees of Applebees and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3).

MANNER AND MEANS

It was part of this conspiracy that:

3. Defendants SAMMER YASIN, OTTMAN DAHER, ABU HAM, and KEVIN PITTS planned to rob Applebees restaurant after customers left the restaurant and it closed for the night.

4. Each of the defendants had specific roles in executing the robbery:

a. Defendant OTTMAN DAHER, who worked as a security guard at Applebees, let defendant KEVIN PITTS and a second armed robber unknown to the grand jury enter the restaurant by unlocking and opening a door to the restaurant.

b. Defendant KEVIN PITTS and an unknown robber entered Applebees, stole money at gunpoint and fled.

c. Defendant SAMMER YASIN provided the handgun used in the robbery and defendant YASIN and defendant ABU HAM acted as lookouts and assisted in the getaway from the robbery.

OVERT ACTS

In furtherance of this conspiracy, in the Eastern District of Pennsylvania, defendants SAMMER YASIN, OTTMAN DAHER, ABU HAM, and KEVIN PITTS and others unknown to the grand jury committed the following overt acts:

1. In or about April 2005, defendants SAMMER YASIN, OTTMAN DAHER, ABU HAM, and KEVIN PITTS agreed to rob the Applebees restaurant located at 2501 Aramingo Avenue in Philadelphia, Pennsylvania.

On or about April 25, 2005:

2. Defendant OTTMAN DAHER spoke with defendant SAMMER YASIN on the telephone shortly before defendant DAHER reported to work as a security guard at Applebees.

3. Defendant SAMMER YASIN provided a handgun to defendant KEVIN PITTS to use during the armed robbery of Applebees

4. Defendants SAMMER YASIN, ABU HAM, and KEVIN PITTS drove together to Applebees and waited until customers left the restaurant to rob the restaurant.

5. While defendants SAMMER YASIN and ABU HAM waited outside Applebees in a get-away car acting as lookouts and equipped with walkie-talkies, defendant OTTMAN DAHER opened a locked restaurant door, allowing defendant KEVIN PITTS and the other unknown armed robber access to the restaurant.

6. Defendant KEVIN PITTS and the unidentified robber entered Applebees, pointed guns at the employees, pushed them to the floor, forced them to give money from the restaurant's receipts and then fled before the police arrived.

7. The unknown gunman managed to escape with the stolen money by fleeing into a nearby residential neighborhood, while defendant KEVIN PITTS got into the waiting get-away car occupied by defendants SAMMER YASIN and ABU HAM.

8. Defendants SAMMER YASIN, ABU HAM, and KEVIN PITTS tried unsuccessfully to elude the police by driving away in defendant YASIN's get-away car.

All in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One of this indictment is incorporated here.
2. On or about April 25, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**SAMMER YASIN,
a/k/a "Samer Rashid,"
OTTOMAN DAHER
ABU HAM and
KEVIN PITTS**

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that, defendants YASIN, DAHER, HAM, and PITTS unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, money and other items of value from the employees of Applebees and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future to their person and property, that is, by pointing a firearm at employees, forcing them to the ground and demanding money.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2005, in Philadelphia, in the Eastern District of
Pennsylvania, defendants

**SAMMER YASIN,
a/k/a “Samer Rashid,”
OTTOMAN DAHER
ABU HAM, and
KEVIN PITTS**

knowingly used and carried, and aided and abetted the use and carrying of, a firearm, that is, a
Hi-Point Firearms 9 mm, serial number P1205758, during and in relation to a crime of violence
for which he may be prosecuted in a court of the United States, that is, conspiracy to interfere
with commerce by robbery and interference with commerce by robbery, in violation of Title 18,
United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2005, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

**SAMMER YASIN,
a/k/a “Samer Rashid,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, Hi-Point Firearms 9 mm, serial number P1205758.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Section 924(c)(1) and 922(g)(1), set forth in this indictment, defendants

**SAMMER YASIN,
a/k/a “Samer Rashid,”
OTTOMAN DAHER
ABU HAM and
KEVIN PITTS**

shall forfeit to the United States of America the firearm and ammunition involved in the commission of such offenses, including, but not limited to:

1. a Hi-Point Firearms 9 mm, serial number P1205758; and
2. a magazine containing five live rounds of 9 mm ammunition

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney